

**The City of Springfield, Ohio
City Commission Public Hearing Minutes
Tuesday, August 31, 2021 – 6:40 p.m.
City Hall Forum**

193-21 Amending the Zoning Map of Springfield, Ohio by rezoning 0.3 acre at 1815 Columbus Avenue, Springfield, Ohio from RS-5, Low-Density, Single-Family Residence District to CC-2, Community Commercial District.

The public hearing was called to order by President Copeland. Roll Call was answered by Mrs. Chilton, Dr. Estrop, Mr. Rue, and President Copeland. Mr. O'Neill was absent.

Mr. Copeland inquired from the Clerk if proper legal notice was given on such public hearing.

The Clerk read a communication relative thereto, attached to which was a copy of the public hearing notice. Said notice was published in the *Springfield News-Sun* on July 21, 2021.

On motion of Dr. Estrop, seconded by Mrs. Chilton, the communication and notice were ordered received, recorded in the minutes, and filed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.

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August 31, 2021

Honorable City Commission  
The City of Springfield, Ohio

Honorable Commissioners:

Notice of a public hearing for the purpose of considering the rezoning of 0.3 acre at 1815 Columbus Avenue, Springfield, Ohio from RS-5, Low-Density, Single-Family Residence District to CC-2, Community Commercial District was published in the *Springfield News-Sun*, a newspaper of general circulation within the City.

Attached hereto is a true and correct copy of such legal notice published on July 21, 2021.

Respectfully submitted,

Jill R. Pierce  
Clerk of the City Commission

Attached Legal Ad

NOTICE OF PUBLIC HEARING  
PROPOSED REZONING

Notice is hereby given that a public hearing will be held on Tuesday, August 31, 2021, at 6:40 P.M. (local time), in the City Commission Forum, to consider the proposed change in zoning for 0.3 acre located at 1815 Columbus Avenue (being Parcel Nos. 3400700029227003, 3400700029227031 and 3400700029227030) from RS-5, Low-Density, Single-Family Residence District to CC-2, Community Commercial District. Details can be found on the City's website, [www.springfieldohio.gov](http://www.springfieldohio.gov) or by calling the City Clerk's Office at 937-324-7341 for details on how to participate.

By Order of the City Commission of The City of Springfield, Ohio.

JILL R. PIERCE  
CLERK OF THE CITY COMMISSION  
7-21/2021

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Mr. Copeland then called upon City Planner Agwan for a staff report. She reported as follows:

GENERAL INFORMATION

On June 21, 2021, applicants and owners Tracy & Timmie Shirk, 3105 Maplewood Avenue, Springfield, Ohio 45505 applied to rezone said property from RS-5, Low-Density, Single-Family Residence District to a CC-2, Community Commercial District. The applicants seek approval to rezone the subject parcels to CC-2 zoning. The buyer plans to keep the existing drive through but wants to add a carryout restaurant option to the existing structure. The site size is 2.33 acres. The applicable regulations are found in Chapter 1174 of the Codified Ordinances, titled Amendments. The surrounding zoning and land uses are:

North: School Transportation Facility, zoned M-1 General Manufacturing District
East: Commercial, zoned RS-5, Low-Density, Single-Family Residence District
South: Residential, zoned RS-5, Low-Density, Single-Family Residence District
West: School Transportation Facility, zoned M-1 General Manufacturing District

ANALYSIS

Land Use Plan and Zoning:

The Connect Clark County Comprehensive Plan shows this future character area as "Suburban Living, Low Intensity." The purpose of the Community Commercial District is to provide locations for the development of community shopping and business areas which serve a major segment of the community population.

CC-2 allows for the following uses:

Principal Uses Permitted

- (a) Business service establishment, except a drive-in facility.
- (b) Club.
- (c) Food locker.
- (d) Meeting hall.
- (e) Museum and art gallery.
- (f) Office use allowed in the CO-1 District.
- (g) Personal service establishment, except a drive-in facility.
- (h) Retail establishment (including a restaurant), except those uses listed as conditional uses.
- (i) Theater.
- (j) Financial Institution.
- (k) Hotel or motel.

Provisional Uses Permitted

None.

Conditional Uses Permitted

- (a) Animal specialty service, veterinary clinic, and animal hospital. Such uses shall be subject to the following requirements:
 - (1) The facility shall have no outside runs.
 - (2) Animals shall not be housed outside nor shall cages be stored outside.
 - (3) The building housing the facility shall be sound proofed to minimize the transmission of sound outside the walls of the building. A minimum sound transmission coefficient of 40 shall be maintained.
 - (4) All facilities shall be constructed and maintained in such a manner so as to prevent the emission of noxious or offensive odors.
 - (5) The facility shall be limited to the care of small domestic animals.
- (b) Automobile and truck oriented use.
- (c) Cemetery.
- (d) Day-care center.
- (e) Commercial recreational use.
- (f) Dwelling located above the ground floor of another principal use allowed in this district, provided the density does not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (g) Funeral home subject to the requirements of Chapter 1135.
- (h) Public utility or public use.
- (i) Religious institution.
- (j) School, specialized private instruction.
- (k) Emergency housing, provided there shall be at least 300 square feet of lot area for each permanent resident and 200 square feet for each guest.
- (l) Drive-in facility for a financial institution.
- (m) Mini-warehouse or self-storage facilities subject to the following requirements:
 - (i) Such mini-warehouse or self-storage facilities must be located at the rear of a lot used for other CC-2 purposes.
 - (ii) The lot on which such use is permitted must have frontage on a thoroughfare as the same is shown on the adopted Thoroughfare Plan of The City of Springfield, Ohio, and entrance and exit to such use shall be from such thoroughfare.
 - (iii) All drives and parking areas serving the use shall have a paved surface such as asphalt, concrete, or like material.
 - (iv) Any such use on a lot located within 150 feet of or abutting a lot having a residential use in an R district shall be screened in accordance with the requirements of Section 1161.02(h) of this Zoning Code.
 - (v) There shall be one (1) off-street parking space for each 3,000 square feet of storage and such off-street parking shall be subject to Section 1158.02(b) of this Zoning Code.
- (n) Community Center, subject to the requirements of Chapter 1135.

Surrounding Land Use:

Permitted uses in CC-2 are compatible with the surrounding land uses.

Thoroughfare Plan:

Columbus Avenue is classified as a Secondary Arterial Street.

Staff Comments:

City Manager's Office:	No objections.
City Service Department:	No objections.
City Police Department:	No objections.
City Fire Department:	No objections.

City Building Inspections Division: No objections – building inspections will address any issue during permit process.

Planning/Zoning Division: No objections.

STAFF RECOMMENDATION:

Staff recommended approval of request to rezone 1815 Columbus Avenue from RS-5 to CC-2. The City Planning Board unanimously recommended approval.

COMMENTS

Mr. Copeland asked if there were comments from the Commission.

Mrs. Chilton asked if there were any objections. Ms. Agwan noted there were no objections received from the public nor at the City Planning Board.

Mr. Copeland asked if there were comments from the audience.

The applicant and property owner, Ms. Tracy Shirk, 3105 Maplewood, noted the drive-thru business had operated at this address then closed for five years. The business has reopened as a drive-thru and they wish to add carryout food items such as hamburgers and milkshakes.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the public hearing adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. Rue, and Mr. Copeland.

Yeas 4, Nays 0.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION